

MONDAY, APRIL 6, 1992

EIGHTIETH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Jonathon Clark, Cumberland Church, Winchester, Tennessee.

Representative Rigsby led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Garrett; due to illness.

Representative Napier; to attend the annual meeting of the National Board of the National Association of Conservation Districts in Washington D.C.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 91

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Joyce Kent, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

BILL RECALLED

The Speaker directed that Senate Bill No. 2213, referred to committee prior to having a House Bill companion, be recalled from the Conservation and Environment Committee.

CONSENT CALENDAR

House Joint Resolution No. 0611 -- Memorials, Professional and Business Achievement -- Barbara Walker, porcelain painter.

House Joint Resolution No. 0612 -- Memorials, Sports -- Latina Davis, TSSAA Class AAA "Miss Basketball".

House Joint Resolution No. 0613 -- Memorials, Public Service -- Contact USA, 25th anniversary.

House Joint Resolution No. 0614 -- Memorials, Professional and Business Achievement -- Lynda J. Conner, Distinguished Classroom Teacher.

House Bill No. 2813 -- Cheatham County -- Restricts use of proceeds from wheel tax to be used only for road surfacing materials. Amends Chapter 258, Private Acts of 1963, as amended.

House Bill No. 2815 -- McMoresville -- Changes election date of mayor and aldermen; changes term from two to four years. Amends Chapter 507, Private Acts of 1949, as amended.

Senate Joint Resolution No. 0402 -- Memorials, Sports -- Harpeth High School Marching "Band of Blue".

Senate Joint Resolution No. 0403 -- Memorials, Death -- Ella Mae Jackson Brown.

Senate Joint Resolution No. 0407 -- Memorials, Death -- Chancellor Allen Kidwell of Oak Ridge.

Senate Joint Resolution No. 0411 -- Memorials, Sports -- Coach Dorsey Sims, TSSAA Hall of Fame.

Senate Joint Resolution No. 0412 -- Memorials, Death -- Paul Atchley, Sevier County Clerk.

House Joint Resolution No. 0598 -- Memorials, Death -- Kenneth K. Coffman.

\*House Bill No. 1905 -- Judicial Officers -- Allows Davidson County circuit court clerks to collect fines for default judgments and to retain agent to collect fines that are six months delinquent; allows clerks to retain 30 percent of fines to defray costs of collection. Amends TCA, Title 20.

On motion, House Bill No. 1905 was made to conform with Senate Bill No. 2047.

On motion, Senate Bill No. 2047, on same subject, was substituted for House Bill No. 1905.

House Bill No. 2189 -- Salaries and Benefits -- Authorizes commissioner of labor to enter into reciprocal agreements with other

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states for collection of wages; limits actions to collect claims and judgments by other states to states extending like comity to cases arising in Tennessee. Amends TCA, Title 50, Ch. 2, Pt. 1.

On motion, House Bill No. 2189 was made to conform with Senate Bill No. 1746.

On motion, **Senate Bill No. 1746**, on same subject, was substituted for House Bill No. 2189.

**House Bill No. 2524** -- Environmental Preservation -- Clarifies organizational responsibilities of departments of environment and conservation, health, agriculture and state planning office relative to environmental programs. Amends TCA, Title 4, Ch. 3, Pt. 5; Title 4, Ch. 31; Title 5, Ch. 19; Title 7, Chs. 54, 58, 82; Title 11, Chs. 1, 4, 11, 42-4-117, 43-8-102, 43-14-218; Title 44, Ch. 18; Title 54, Ch. 17, Pt. 1; Title 59, Chs. 8, 10; Title 60, Ch. 1, Pts. 1, 2; Title 69, Chs. 7, 10--12.

On motion, House Bill No. 2524 was made to conform with Senate Bill No. 2535.

On motion, **Senate Bill No. 2535**, on same subject, was substituted for House Bill No. 2524.

**House Bill No. 2535** -- Unemployment Compensation -- Modifies portions of employment security law. Amends TCA 50-7-207, 213, 50-7-303, 304, 50-7-401, 403.

**House Bill No. 2302** -- Tennessee Housing Development Agency -- Limits terms of board; creates audit and budget committee; requires agency money not for immediate use be invested in collateralized guaranteed investment contracts. Amends TCA, Title 13, Ch. 23.

On motion, House Bill No. 2302 was made to conform with Senate Bill No. 2253.

On motion, **Senate Bill No. 2253**, on same subject, was substituted for House Bill No. 2302.

**House Bill No. 2430** -- Highway Signs -- Forbidden Caverns, 1-40.

**House Bill No. 2261** -- Alcoholic Beverages -- Authorizes sale of liquor by the drink at public aquarium in Hamilton County; establishes \$300 privilege tax. Amends TCA, Title 57, Ch. 4.

**House Bill No. 2262** -- Alcoholic Beverages -- Authorizes operation of microbrewery in Hamilton County. Amends TCA 57-5-101.

**House Bill No. 2712** -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for Fraternal Order of Police members. Amends TCA, Title 55, Ch. 4.

**\*House Bill No. 2016** -- Handicapped Persons -- Provides that law enforcement officers may seize on the spot handicapped placards

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being used by ineligible drivers. Amends TCA, Title 55, Ch. 21.

On motion, House Bill No. 2016 was made to conform with Senate Bill No. 2151.

On motion, Senate Bill No. 2151, on same subject, was substituted for House Bill No. 2016.

**House Bill No. 2416 -- Public Funds and Financing --** Permits government officials to accept check or money order for payment of taxes, fines and certain fees; establishes penalty for doing so when account has insufficient funds. Amends TCA, Title 9, Ch. 1, Pt. 1, 39-14-121, 40-3-203.

**House Bill No. 2723 -- Education --** Implements pilot program to deal with educational needs of African-American male students in Memphis. Amends TCA, Title 49, Ch. 10.

**\*House Joint Resolution No. 0515 -- General Assembly, Directed Studies --** Directs the state board of education to examine the need for and benefits of cultural enrichment programs to enhance cultural sensitivity and to build student self-esteem.

**House Bill No. 1712 -- Highway Signs --** "Veterans Memorial Drive," SR 50, Franklin County.

On motion, House Bill No. 1712 was made to conform with Senate Bill No. 1683.

On motion, Senate Bill No. 1683, on same subject, was substituted for House Bill No. 1712.

**House Bill No. 2711 -- Rhea County --** Establishes, effective September 1, 1992, salary of juvenile judge at \$24,000 per year. Amends Chapter 67, Private Acts of 1981.

**House Bill No. 2169 -- Indigents --** Allows Knox County to collect \$12.50 fee to defray costs of legal representation for indigent defendants in criminal proceedings. Amends TCA 40-14-210.

**House Bill No. 2274 -- Cemeteries --** Authorizes all cities and counties with charter form of government to adopt ordinances to prohibit cemetery trespassing from dusk to dawn. Amends TCA, Titles 5, 6.

**House Bill No. 2162 -- Safety --** Changes from May 22, 1991 to July 1, 1994, date from which fire safety or building inspector may have 12 months to receive employment certificate. Amends TCA 68-11-113.

On motion, House Bill No. 2162 was made to conform with Senate Bill No. 2066.

On motion, Senate Bill No. 2066, on same subject, was substituted for House Bill No. 2162.

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**House Bill No. 2452** -- Bradley County -- Gives hospital board authority to acquire or lease property related to business of hospital and to make health care services available; makes revenues from operation of hospital used for capital projects and health care services to indigents after expenses and bond payments.

**House Bill No. 2817** -- Greenbrier -- Removes requirement that municipal judge be resident; removes provision allowing recorder to be municipal judge. Amends Chapter 436, Private Acts of 1937, as amended.

**House Joint Resolution No. 0617** -- Memorials -- Amanda "Mandy" Jo Moore.

**House Joint Resolution No. 0619** -- Memorials, Sports -- Shelbyville Central High School girls' basketball team, TSSAA Class AAA state champion.

**House Bill No. 2125** -- Public Records -- Allows Knox County to charge fees for commercially valuable public records. Amends TCA 10-7-506.

On motion, House Bill No. 2125 was made to conform with Senate Bill No. 2109.

On motion, **Senate Bill No. 2109**, on same subject, was substituted for House Bill No. 2125.

**House Bill No. 1754** -- Hospitals and Health Care Facilities -- Mandates certification for administrators of institutional homes for aged, by requiring high school or equivalent education; provides for biennial renewal upon showing of at least 24 classroom hours of board approved continuing education courses. Amends TCA 68-11-209.

On motion, House Bill No. 1754 was made to conform with Senate Bill No. 1711.

On motion, **Senate Bill No. 1711**, on same subject, was substituted for House Bill No. 1754.

**House Bill No. 2080** -- Public Officials -- Changes filing date for amended disclosure statement from January 15 to January 31; requires persons filing conflict of interest statements to have at least one attesting witness sign form. Amends TCA, Title 8, Ch. 50, Pt. 5.

On motion, House Bill No. 2080 was made to conform with Senate Bill No. 1760.

On motion, **Senate Bill No. 1760**, on same subject, was substituted for House Bill No. 2080.

**House Bill No. 2668** -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for Exchange Club members for \$25.00 fee. Amends TCA, Title 55, Ch. 4.

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**\*House Bill No. 2312 -- Highway Signs -- "Harold Weakley Memorial Bridge," bridge spanning I-440, Nolensville Road, Nashville.**

On motion, House Bill No. 2312 was made to conform with Senate Bill No. 2483.

On motion, Senate Bill No. 2483, on same subject, was substituted for House Bill No. 2312.

**House Bill No. 2755 -- Tennessee Higher Education Commission -- Provides for annual report of educational achievements and satisfaction of students in public higher education institutions vis a vis other higher education students. Amends TCA, Title 49, Ch. 7, Pt. 2.**

**House Bill No. 2654 -- Water Pollution -- Corrects typographical error in Water Quality Control Act of 1977 by changing word "natural" to "national". Amends TCA 69-3-102.**

On motion, House Bill No. 2654 was made to conform with Senate Bill No. 2213.

On motion, Senate Bill No. 2213, on same subject, was substituted for House Bill No. 2654.

**House Bill No. 2604 -- Motor Vehicles, Titling and Registration -- Removes eligibility of Legion of Valor recipients for special license plates. Amends TCA, Title 55, Ch. 4, Pt. 2.**

**House Bill No. 1671 -- Highways, Roads and Bridges -- Designates I-840 as scenic highway. Amends TCA, Title 54, Ch. 17, Pt. 1.**

**\*House Bill No. 2295 -- Junk Dealers and Junkyards -- Repeals requirement that commissioner of transportation make annual report to general assembly. Repeals TCA 54-20-111.**

**House Bill No. 2395 -- Highway Signs -- "Joe Vinson Cates Memorial Bridge," Rutherford County.**

On motion, House Bill No. 2395 was made to conform with Senate Bill No. 2508.

On motion, Senate Bill No. 2508, on same subject, was substituted for House Bill No. 2395.

**House Joint Resolution No. 0620 -- Memorials, Sports -- Popeye Jones.**

**House Joint Resolution No. 0621 -- Memorials, Personal Occasion -- Donald C. and Delois H. Ralph, 50th wedding anniversary.**

**House Joint Resolution No. 0623 -- Memorials, Personal Occasion -- Joe Ernest Davis, 73rd Birthday.**

**House Joint Resolution No. 0625 -- Memorials, Professional and**

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Business Achievement -- Dr. Vernon Jarrett.

**House Bill No. 2824** -- Jonesborough -- Provides for city judge to be appointed by board of mayor and aldermen; provides \$100 monthly compensation to mayor and aldermen. Amends Chapter 135, Acts of 1903, as amended.

**House Bill No. 2825** -- Lookout Mountain -- Rewrites charter. Amends Chapter 152, Acts of 1911, as amended.

**House Bill No. 2826** -- Greenfield -- Establishes new charter. Repeals Chapter 661, Private Acts of 1929, as amended.

**House Bill No. 2828** -- Wilson County -- Changes election of highway superintendent; provides for highway committee. Repeals Chapter 194, Private Acts of 1961.

**\*House Bill No. 2830** -- Naming and Designating -- "Coy Gaither Bedford Lake," Lake Bedford, Bedford County.

**\*House Bill No. 2041** -- Custody and Support -- Clarifies that factor "physical condition" includes disability due to chronic debilitating disease. Amends TCA 36-5-101.

**House Joint Resolution No. 0569** -- Naming and Designating -- "Better Hearing and Speech Month," May 1992.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 2261**; by Reps. Duer and McAfee.

**House Bill No. 2262**; by Reps. Duer and McAfee.

**House Bill No. 2430**; by Rep. Armstrong.

**House Bill No. 2452**; by Rep. Harrill.

**House Bill No. 2535**; by Rep. Copeland.

**House Bill No. 2668**; by Rep. West.

Under the rules, House Bill(s) No(s). 2261, 2262, 2430, 2452, 2535 and 2668 was/were placed at the foot of the calendar for Wednesday, April 8, 1992.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on the Consent Calendar and have this statement entered in the Journal.

Rep. Harry Tindell

#### REGULAR CALENDAR

\*House Bill No. 2516 -- Courts -- Requires submission of bills affecting judicial system to judicial council by April 1; requires council to make report to governor and supreme court concerning legislation for new judicial district attorney and public defender positions and/or proposals by December 1 of each year. Amends TCA, Title 16, Ch. 21.

Rep. Purcell moved that House Bill No. 2516 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

#### Amendment No. 1

Amend House Bill No. 2516 by adding the following new section to be designated as SECTION 2:

SECTION 2. This act shall take effect on July 1, 1992, the public welfare requiring it and, for the year 1992 only, the date by which legislation must be filed with the judicial council shall be July 1 instead of April 1.



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On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Purcell moved that **House Bill No. 2516**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 2288** -- Landlord and Tenant -- Expands application of Residential Landlord and Tenant Act to 14 largest counties instead of four largest counties. Amends TCA 66-28-102.

Rep. Dixon moved that House Bill No. 2288 be reset one week to the Calendar for Monday, April 13, 1992, which motion prevailed.

**House Bill No. 2002** -- Nurses, Nursing -- Authorizes issuance of temporary nurse practitioner permits under certain circumstances. Amends TCA, Title 63.

Rep. Dixon moved that House Bill No. 2002 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2002 by deleting the amendatory language of Section 1 and by substituting instead the following:

( ) The board may issue a temporary certificate of fitness to a registered nurse who:

(1) Is licensed to practice in Tennessee,

- (2) Has a master's degree in a nursing clinical specialty area with preparation in specialized practitioner skills which includes three (3) quarter hours of pharmacology instruction or its equivalent, and
- (3) Has applied for examination and/or is awaiting examination results for national certification as a first-time examinee in an appropriate nursing specialty area.

Such temporary certificate shall remain valid until the examination results are obtained. The holder of a temporary certificate issued under the provisions of this subsection, who has not received the results of the examination, shall work only under the supervision and control of a certified nurse practitioner or physician.

AND FURTHER AMEND by deleting Section 2 and by substituting instead the following sections:

SECTION 2. Tennessee Code Annotated, Section 63-7-106, is further amended by adding the following language as a new, appropriately designated subsection:

( ) An applicant for a certificate of fitness or a temporary certificate of fitness, pursuant to Section 63-7-123, shall pay a fee as set by the board.

SECTION 3. This act shall take effect on October 15, 1992.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Dixon moved that House Bill No. 2002, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Joyce Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union),

Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**House Bill No. 1169** -- Education, Higher -- Expands number of fellowships in minority teachers scholarship program. Amends TCA, Title 49, Ch. 4.

Rep. Dixon moved that House Bill No. 1169 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

**Amendment No. 1**

AMEND House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the General Appropriations Act.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Dixon moved that **House Bill No. 1169**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 0015 -- Election Laws -- Establishes contribution limits. Amends TCA, Title 2, Ch. 10.**

Further consideration of House Bill No. 15, previously considered on May 9, 16 and 23, 1991; February 19 and March 18, 1992, at which time it was reset to the Calendar for April 6, 1992.

Rep. Kisber moved that House Bill No. 15 be passed on third and final consideration.

On request of Rep. Love, State and Local Government Committee Amendments Nos. 1, 2 and 3; were moved to the heel of the Amendments.

Rep. Kisber moved to amend as follows:

**Amendment No. 4**

AMEND House Bill No. 15 by deleting all the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 10, Part 1, is amended by adding the following as a new section to be appropriately designated:

Section \_\_\_\_.

(a) No person otherwise permitted by law to make contributions shall make contributions to any candidate with respect to any election for state or local public office which, in the aggregate, exceeds one thousand dollars (\$1,000.00) per election.

(b) No political campaign committee or multicandidate political campaign committee otherwise permitted by law to make contributions shall make contributions to any candidate with respect to any election for state or local public office which, in the aggregate, exceeds five thousand dollars (\$5,000.00) per election.

(1) If a political campaign committee or a multicandidate political campaign committee is affiliated with another political campaign committee or another multicandidate political campaign committee, the total contributions to a candidate from all affiliated committees shall not exceed the limitations established in this subsection.

(2) This subsection shall not apply to a contribution made by a multicandidate political campaign committee organized and controlled by:

(A) An executive committee of a statewide political party elected pursuant to Section 2-13-103; or

(B) A political party caucus of a statewide political party established by members of either house of the general assembly.

(c) No candidate shall accept a contribution prohibited by this section.

(d) This section shall not prohibit a candidate from spending the candidate's exclusively personal funds to influence the outcome of the candidate's own election.

SECTION 2. Tennessee Code Annotated, Section 2-10-102, is amended by adding the following new subdivisions to be appropriately designated:

( ) "Affiliated" means established, financed, maintained or controlled by the same person, political campaign committee or multicandidate political campaign committee. Persons exempt from taxation under Section 501(c)(5) of the Internal Revenue Code of 1986, or corresponding section of any future federal tax code, shall not be affiliated unless such persons have the same officers or directors.

( ) "Personal funds" means any assets to which a candidate has legal title or an equitable interest. A loan to a candidate or the political campaign committee of a candidate by a financial institution in the ordinary course of business shall be considered personal funds. Nothing contained in this subsection shall prevent the spouse of a candidate from making a contribution to the candidate from jointly owned assets.

SECTION 3. Tennessee Code Annotated, Section 2-10-110(a)(2)(C), is amended by deleting the period and adding the following language and punctuation at the end thereof:

, or the amount of all contributions made or accepted in excess of the limitations established by this chapter.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Kernell moved to amend as follows:

Amendment No. 1 to Amendment No. 4

Amend House Bill No. 15 by deleting the words and figures "five thousand dollars (\$5,000.00)" in amendatory subsection (b) of Section 1 as amended and by substituting instead the words and figures "one thousand dollars (\$1,000)".

Rep. Crain moved that Amendment No. 1 to Amendment No. 4 be tabled, which motion prevailed.

Rep. Kernell moved to amend as follows:

Amendment No. 2 to Amendment No. 4

Amend House Bill No. 15 by deleting the words and figures "one thousand dollars (\$1,000.00)" in amendatory subsection (a) and the words and figures "five thousand dollars (\$5,000.00)" from amendatory subsection (b), both of Section 1, as amended and by substituting instead in both places the words and figures "three thousand dollars (\$3,000)".

Rep. Crain moved that Amendment No. 2 to Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	59
Noes. . . . .	32
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Givens, Hassell, Head, Herron, Hill, Holt, Huskey, Jackson, Johnson, Joyce Kent, Liles, Love, McAfee, McDaniel, Moore, Niceley, Nuber, Peroulas, Draper, Pinion, Purcell, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Tullos, Turner (Hamilton), Williams (Shelby), Windle, Wix, Wood, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Byrd, Callicott, Chumney, Ferguson, Fowlkes, Gunnels, Haley, Halteman, Harrill, Haun, Hillis, Holcomb, Hubbard, Jones, R (Shelby), Jones, U (Shelby), Kernell, King, Knight, McKee, Odom, Phillips, Pruitt, Rigsby, Sipes, Stamps, Tindell, Turner (Shelby), Venable, Walley, West, Williams (Union), Winningham -- 32.

Representatives present and not voting were: Rhinehart, Whitson -- 2.

PRESENT IN CHAMBER

Representative(s) Ric Nuber was/were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

Rep. Kernell moved to amend as follows:

Amendment No. 3 to Amendment No. 4

Amend House Bill No. 15 by inserting the words "or political campaign committee or multi-candidate political campaign committee" after the words "candidate" in amendatory subsection (a) of Section 1, as amended.

Rep. Kisber moved that Amendment No. 3 to Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	62
Noes. . . . .	23
Present and not voting. . . . .	4

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Fowlkes, Givens, Harrill, Hassell, Head, Herron, Hill, Hillis, Holt, Huskey, Jackson, Johnson, Joyce Kent, Liles, Love, McAfee, McKee, Meyer, Niceley, Nuber, Peroulas Draper, Phillips, Pruitt, Purcell, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Tullos, Turner (Hamilton), West, Whitson, Williams (Shelby), Wix, Wood, Mr. Speaker Naifeh -- 62.

Representatives voting no were: Arriola, Chumney, DeBerry, Ferguson, Gunnels, Haley, Halteman, Holcomb, Hubbard, Jones, U (Shelby), Kernell, Knight, McDaniel, Odom, Sipes, Stamps, Tindell, Turner (Shelby), Venable, Walley, Williams (Union), Windle, Winningham -- 23.

Representatives present and not voting were: Buck, Jones, R (Shelby), Rhinehart, Rigsby -- 4.

Rep. R. Jones moved to amend as follows:

Amendment No. 4 to Amendment No. 4

Amend House Bill No. 15 by inserting the words "state or local" before the words "political party caucus" in subdivision (b)(2)(B) of Section 1, as amended.

Rep. Kisber moved that Amendment No. 4 to Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes. . . . .	70
Noes. . . . .	19
Present and not voting. . . . .	4

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Ferguson, Fowlkes, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Herron, Hill, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Nuber, Peroulas Draper, Phillips, Pinion, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 70.

Representatives voting no were: Armstrong, Byrd, Chumney, DeBerry, Dixon, Duer, Hassell, Hillis, Jones, R (Shelby), Jones, U (Shelby), Kernell, Knight, Love, Niceley, Pruitt, Robinson (Hamilton), Shirley, Turner (Shelby), Williams (Shelby) -- 19.

Representatives present and not voting were: Givens, Odom, Rhinehart, Tullos -- 4.

Rep. U. Jones moved to amend as follows:

**Amendment No. 5 to Amendment No. 4**

Amend House Bill No. 15 by adding the following new subsection to Section 1, as amended:

(e) No person shall collect or accept contributions until such person is qualified as a candidate and such person's qualifications have been accepted by the election commission.

Rep. Odom moved to table Amendment No. 5 to Amendment No. 4, which motion he then withdrew.

Thereupon, Rep. U. Jones withdrew Amendment No. 5 to Amendment No. 4.

Rep. Kernell moved to amend as follows:

**Amendment No. 6 to Amendment No. 4**

Amend House Bill No. 15 by inserting the words "or political campaign committee not a multi-candidate political campaign committee" after the word "any candidate" in amendatory subsection (a) of Section 1, as amended.

On motion, Amendment No. 6 to Amendment No. 4 was adopted.

Thereupon, Rep. Kisber renewed the motion to adopt Amendment No. 4, as amended, which motion prevailed.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.



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On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 2.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 3.

Rep. Kisber moved that House Bill No. 15, as amended, be passed on third and final consideration.

Rep. Jackson moved the previous question, which motion prevailed by the following vote:

Ayes. . . . .	77
Noes. . . . .	14
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Huskey, Jackson, Johnson, Jones, R (Shelby), Kent, King, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Turner (Hamilton), Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood -- 77.

Representatives voting no were: Callicott, DeBerry, Dixon, Duer, Holcomb, Hubbard, Kernell, Niceley, Nuber, Sipes, Tullos, Turner (Shelby), Venable, Williams (Shelby) -- 14.

Representatives present and not voting were: Rhinehart -- 1.

Thereupon, Rep. Kisber moved that House Bill No. 15, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	5
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Huskey, Jackson, Johnson, Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Venable, Walley, West, Whitson,

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Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Holcomb, Hubbard, Jones, R (Shelby), Pruitt, Turner (Shelby) -- 5.

Representatives present and not voting were: Kernell, Robinson (Hamilton), Sipes -- 3.

A motion to reconsider was tabled.

**\*House Bill No. 0341** -- Public Works Projects -- Increases minimum dollar amount of public works contracts from \$25,000 to \$100,000 above which contractors must post bond. Amends TCA 12-4-201.

Further consideration of House Bill No. 341, previously considered on April 1 and 8, 1991 at which time it was re-referred to the Calendar and Rules Committee.

Rep. Dixon moved that House Bill No. 341 be reset one week to the Calendar for Monday, April 13, 1992, which motion prevailed.

**\*House Bill No. 1871** -- Highway Signs -- Nashville School of Ballet, 1-65.

On motion, House Bill No. 1871 was made to conform with Senate Bill No. 2093.

On motion, **Senate Bill No. 2093**, on same subject, was substituted for House Bill No. 1871.

Rep. Chiles moved that **Senate Bill No. 2093** be passed on third and final consideration.

Rep. West moved the previous question, which motion prevailed.

Rep. Chiles moved that **Senate Bill No. 2093** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0
Present and not voting. . . . .	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips,

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Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Herron, Holcomb, Jackson, Walley, Williams (Union) -- 5.

A motion to reconsider was tabled.

**House Bill No. 2110** -- Alcoholic Beverages -- Enacts "Gourmet Restaurant Enjoyment Act of Tennessee" or "GREAT". Amends TCA, Title 57, Ch. 4.

On motion, House Bill No. 2110 was made to conform with Senate Bill No. 2023.

On motion, **Senate Bill No. 2023**, on same subject, was substituted for House Bill No. 2110.

Rep. Chiles moved that **Senate Bill No. 2023** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	55
Noes. . . . .	33
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bivens, Bragg, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Givens, Haun, Head, Hill, Hillis, Huskey, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Liles, Love, Meyer, Niceley, Peroulas Draper, Pruitt, Purcell, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Tindell, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Wix, Mr. Speaker Naifeh -- 55.

Representatives voting no were: Bell, Byrd, Crain, Davidson, Ferguson, Gunnels, Haley, Halteman, Harrill, Hassell, Herron, Holcomb, Holt, Hubbard, Jackson, Joyce McAfee, McDaniel, McKee, Moore, Phillips, Pinion, Rhinehart, Ridgeway, Shirley, Sipes, Stamps, Tullos, Walley, Williams (Union), Windle, Winningham, Wood -- 33.

Representatives present and not voting were: Johnson, Knight, Rigsby -- 3.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 2023 and have this statement entered in the Journal.

Rep. Jerry Cross

RULES SUSPENDED

Rep. Severance moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 432 out of order, which motion prevailed.

Senate Joint Resolution No. 0432 -- Memorials, Interns -- Christine Ragan. by \*Atchley.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Severance, the resolution was concurred in.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 1748 -- Minors, Gifts to -- Enacts "Tennessee Uniform Transfers to Minors Act". Amends TCA, Title 35.

On motion, House Bill No. 1748 was made to conform with Senate Bill No. 1662.

On motion, Senate Bill No. 1662, on same subject, was substituted for House Bill No. 1748.

Rep. Chiles moved that Senate Bill No. 1662 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 1662 and have this statement entered in the Journal.

Rep. Karen Williams

#### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1950** -- Education -- Imposes administrative penalty of \$50.00 on principals who do not promptly undertake good faith efforts to notify parents and superintendents of suspension. Amends TCA, Title 49.

Rep. DeBerry moved that House Bill No. 1950 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

#### Amendment No. 1

Amend House Bill No. 1950 by deleting Sections 2 and 3 of the printed bill and redesignating Section 4 to be Section 2.

On motion, Amendment No. 1 was adopted.

Rep. DeBerry moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, Rep. DeBerry moved that House Bill No. 1950, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Haldeman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R

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(Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Liles, Windle -- 2.

A motion to reconsider was tabled.

**House Bill No. 2485** -- Day Care -- Delays for one year implementation of the state registry to screen child care providers. Amends TCA 37-1-408.

Rep. DeBerry moved that **House Bill No. 2485** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	87
Noes. . . . .	5
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hillis, Holt, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Hill, Holcomb, Hubbard, Meyer, Stamps -- 5.

Representatives present and not voting were: Coffey, Rigsby, Williams (Union) -- 3.

A motion to reconsider was tabled.

**House Bill No. 2706** -- Firearms and Ammunition -- Makes parent guilty of Class A misdemeanor if he knows his child is in illegal possession of firearm at school and does not prevent the possession or report it. Amends TCA, Titles 39, 49.

Rep. McAfee moved that House Bill No. 2706 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2706 by deleting SECTION 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 13, is amended by adding the following as a new section to be designated as Section 39-17-1312:

Section 39-17-1312 (a) It is an offense if the parent or other legal guardian of a minor knows that such minor is in illegal possession of a firearm in or upon the premises of a public or private school or public park, playground of civic center and such parent or guardian fails to prevent such possession or fails to report it to the appropriate school or law enforcement officials.

(b) A violation of this section is a Class A misdemeanor.

On motion, Amendment No. 1 was adopted.

Rep. McAfee moved to amend as follows:

**Amendment No. 2**

Amend House Bill No. 2706 by deleting from the amendatory language of SECTION 1 as amended the words "or public park, playground of" and substituting instead the following:

, in or on such school's athletic stadium or other facility or building where school-sponsored athletic events are conducted, or public park, playground or".

On motion, Amendment No. 2 was adopted.

Rep. McAfee moved that House Bill No. 2706, as amended, be passed on third and final consideration.

Rep. Givens moved the previous question, which motion prevailed.

Thereupon, Rep. McAfee moved that House Bill No. 2706, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 1817** -- Sunset Laws -- Health facilities commission, June 30, 1994. Amends TCA, Title 4, Ch. 29; Title 33, Ch. 5; Title 56, Ch. 7; Title 68, Ch. 11.

Rep. King moved that House Bill No. 1817 be reset to the Calendar for Thursday, April 9, 1992, which motion prevailed.

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 1970** -- Municipal Government -- Increases minimum insurance limits for local governmental entities for property damage from \$20,000 to \$50,000 in any one accident. Amends TCA 29-20-403.

Rep. Ferguson moved that House Bill No. 1970 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Niceley, Nuber,



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Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 1696** -- County Officers -- Authorizes optional checking system for trustees. Amends TCA, Title 5, Ch. 8, Pt. 2.

On motion, House Bill No. 1696 was made to conform with Senate Bill No. 1752.

On motion, **Senate Bill No. 1752**, on same subject, was substituted for House Bill No. 1696.

Rep. Collier moved that **Senate Bill No. 1752** be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend Senate Bill No. 1752 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population in excess of four hundred thousand (400,000), according to the 1990 federal census or any subsequent federal census.

Rep. Love moved the previous question, which motion prevailed.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Collier moved that **Senate Bill No. 1752**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis,

Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Givens -- 1.

A motion to reconsider was tabled.

**House Bill No. 2212** -- Public Officials -- Clarifies fees clerk may charge for registering instruments which do not have specific fee, in counties of first class, \$6.00, all others \$8.00. Amends TCA 8-21-1001.

On motion, House Bill No. 2212 was made to conform with Senate Bill No. 1835.

On motion, **Senate Bill No. 1835**, on same subject, was substituted for House Bill No. 2212.

Rep. Collier moved that **Senate Bill No. 1835** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Collier moved that **Senate Bill No. 1835** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	68
Noes. . . . .	17
Present and not voting. . . . .	6

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bivens, Buck, Byrd, Callicott, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Fowlkes, Givens, Gunnels, Hassell, Head, Hill, Hillis, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Love, McKee, Meyer, Moore, Niceley, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Winningham, Wix, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Bell, Bragg, Chiles, Duer, Ferguson, Haley, Halteman, Harrill, Haun, McDaniel, Odom, Sipes,

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**Stamps, Tullos, West, Windle, Wood -- 17.**

**Representatives present and not voting were: Chumney, Holcomb, Jackson, Nuber, Rhinehart, Williams (Union) -- 6.**

**A motion to reconsider was tabled.**

**REQUEST TO CHANGE VOTE**

**MR. SPEAKER:** Pursuant to Rule No. 31, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1835 and have this statement entered in the Journal.

**Rep. Pete Phillips**

**REQUEST TO CHANGE VOTE**

**MR. SPEAKER:** Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to no on Senate Bill No. 1835 and have this statement entered in the Journal.

**Rep. Mike Liles**

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2240 -- Criminal Procedure --** Permits delinquent taxes and delinquent general sessions court fines, costs and taxes to be collected by contract with collection agencies; sets formula for how moneys collected should be allocated. Amends TCA 40-24-105.

Further consideration of House Bill No. 1934, previously considered on April 1, 1992, at which time Amendments Nos. 1 and 2 were adopted, and the bill was reset to the Calendar for April 6, 1992.

Rep. Hargrove moved that House Bill No. 2240 be reset one week to the Calendar for Monday, April 13, 1992, which motion prevailed.

**House Bill No. 2350 -- Criminal Offenses --** Permits consent as defense to criminal offense involving bodily harm when injury is not serious and conduct and harm are foreseeable hazards. Amends TCA 39-13-104.

On motion, House Bill No. 2350 was made to conform with Senate Bill No. 1882.

On motion, Senate Bill No. 1882, on same subject, was substituted for House Bill No. 2350.

Rep. Hargrove moved that Senate Bill No. 1882 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McKee, Meyer, Niceley, Nuber, Odom, Peroulas Draper, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Phillips, Turner (Shelby) -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 2037** -- Process, Service of -- Establishes procedure for serving process in foreign country. Amends TCA, Title 20, Ch. 2.

On motion, House Bill No. 2037 was made to conform with Senate Bill No. 2083.

On motion, **Senate Bill No. 2083**, on same subject, was substituted for House Bill No. 2037.

Rep. Chumney moved that **Senate Bill No. 2083** be passed on third and final consideration.

Rep. Herron moved the previous question, which motion prevailed.

Rep. Chumney moved that **Senate Bill No. 2083** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kernell, King, Kisber, Knight, Liles, Love, McAfee, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks,

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Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

A motion to reconsider was tabled.

**\*House Bill No. 1934** -- Sexual Offenses -- Requires person arrested for offense of prostitution to submit to HIV tests; requires person to pay \$100 for test if convicted; establishes procedure for notifying person of test results. Amends TCA, Title 39, Ch. 13, Pt. 5.

Further consideration of House Bill No. 1934, previously considered on April 1, 1992, when Amendment(s) No(s). 1 and 2 were adopted and the bill was reset to the Calendar for April 6, 1992.

Rep. Joyce moved that House Bill No. 1934 be reset one week to the Calendar for Monday, April 13, 1992, which motion prevailed.

**MESSAGE CALENDAR**

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 1737** -- Zoning -- Establishes procedure for calling election on county zoning question. Amends TCA, Title 13, Chs. 3, 7.

Rep. Huskey moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1, 2 and 10 to Senate Bill No. 1737, which motion prevailed.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**MESSAGE CALENDAR, CONTINUED**

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 1841** -- Sunset Laws -- Real estate appraiser commission, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 39.

**Senate Amendment No. 2**

**AMEND** House Bill No. 1841 by adding the following as a new section to precede the effective date section:

**SECTION \_\_\_\_.** Tennessee Code Annotated, Section 62-39-302, is amended by deleting subsection (a) in its

entirety and by substituting instead the following new subsection:

(a) A state licensed appraiser may perform appraisals of the following properties:

(1) all properties with a transaction value of up to two hundred fifty thousand dollars (\$250,000);

(2) noncomplex residential properties with a transaction value up to, but not including, one million dollars (\$1,000,000); and

(3) agricultural properties, including agricultural properties with up to two (2) dwelling units, with a value up to, but not including, one million dollars (\$1,000,000).

Rep. King moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1841**, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Callicott -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2467** -- Education -- Permits local governmental bodies to retain school superintendent employed by local education board upon two-thirds vote instead of conducting election for office in 1992. Amends TCA, Title 49, Ch. 2.

Senate Amendment No. 2

AMEND House Bill No. 2467 by adding the following new sections and renumbering the subsequent sections accordingly:

SECTION 4. Tennessee Code Annotated, Section 49-2-203, is amended by adding a new subdivision (a)(3), as follows:

(a)(3) In local education agencies which retain elected superintendents, the board shall continue to employ janitors, engineers, and such other persons as may be necessary to care for school property, and to fix their compensation;

SECTION 5. Tennessee Code Annotated, Section 49-2-304, is amended by deleting the words "as appropriate" and by substituting the words "as appropriate in districts with appointed superintendents".

SECTION 6. Tennessee Code Annotated, Title 49, Chapter 2, Part 3, is amended by adding a new section, as follows:

Section 49-2-3\_\_\_\_\_. Notwithstanding the provisions of Sections 48, 50, 51 and 52 of Chapter 535 of the Public Acts of 1992, only appointed superintendents shall have the powers provided for in Sections 48, 50, 51, and 52. The amended provisions of Sections 48, 50, 51, and 52 shall not apply to superintendents who continue to be elected.

Rep. Bivens moved that the House concur in Senate Amendment(s) No(s). 2 to House Bill No. 2467, which motion prevailed by the following vote:

Ayes. . . . .	84
Noes. . . . .	6
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Kent, Kernell, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Wood, Mr. Speaker Naifeh -- 84.

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Representatives voting no were: Givens, Stamps, Williams (Union), Windle, Winningham, Wix -- 6.

Representatives present and not voting were: Gunnels, Holcomb -- 2.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Purcell moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 2816 could be heard by the Finance, Ways and Means Committee on Tuesday, April 7, 1992, which motion prevailed.

**RULES SUSPENDED**

Rep. Purcell moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 2519 could be heard by the appropriate subcommittee of Consumer and Employees Affairs Committee on Tuesday, April 7, 1992, which motion prevailed.

**RULES SUSPENDED**

Rep. Holt moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 634 out of order, which motion prevailed.

**House Joint Resolution No. 0634** -- Memorials, Sports -- Dyersburg High School girls' basketball team. by \*Holt.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Holt, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Turner (Hamilton) moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 2184 can be heard by the Criminal Practice subcommittee of the Judiciary Committee on Wednesday, April 8, 1992, which motion prevailed.



**RULES SUSPENDED**

Rep. Turner (Hamilton) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 641 out of order, which motion prevailed.

**House Joint Resolution No. 0641** -- Memorials, Public Service -- Family and Children's Services of Chattanooga and Mr. and Mrs. Vince Dooley. by \*Turner B.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Turner (Hamilton), the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Davis (Knox) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 425 out of order, which motion prevailed.

**Senate Joint Resolution No. 0425** -- Memorials, Retirement -- Geneva Taubert Smith. by \*Atchley.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Davis (Knox), the resolution was concurred in.

A motion to reconsider was tabled.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Wednesday, April 8, 1992:

**House Bill No. 2734:** Rep. Head.

**RULES SUSPENDED**

Rep. Buck moved to suspend the rules so that the Judiciary Committee could meet Tuesday, April 7, 1992 at 12:00 noon in Room 16 to begin hearing the bills set for Wednesday, April 8, 1992, which motion prevailed.

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**MESSAGE FROM THE SENATE  
April 6, 1992**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 440; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**RULES SUSPENDED**

Rep. Hargrove moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 440 out of order, which motion prevailed.

**Senate Joint Resolution No. 0440 --** Memorials, Personal Achievement -- Putnam County 4-H Wildlife Judging Team. by \*Burks.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Hargrove, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Robinson (Washington) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 438 out of order, which motion prevailed.

**Senate Joint Resolution No. 0438 --** Memorials, Sports -- East Tennessee State University men's basketball team.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Robinson (Washington), the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Crain moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 635 out of order, which motion prevailed.

**House Joint Resolution No. 0635 --** Memorials, Sports -- Tony Delk, "Mr. Basketball". by \*Crain.

On motion, the rules were suspended for the immediate

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consideration of the resolution.

On motion of Rep. Crain, the resolution was adopted.

A motion to reconsider was tabled.

#### **SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 15:** Rep(s). Hill as prime sponsor(s).

**House Bill No. 2325:** Rep(s). Hassell as prime sponsor(s).

**House Bill No. 2519:** Rep(s). Chiles, Bragg, Rhinehart, Clark, Crain, Bivens, Head, Kent, Ridgeway, Kisber and Speaker Naifeh as prime sponsor(s).

**House Bill No. 2662:** Rep(s). Hill as prime sponsor(s).

**House Bill No. 2668:** Rep(s). West as prime sponsor(s).

**House Bill No. 2706:** Rep(s). Armstrong, Bittle and Turner (Hamilton) as prime sponsor(s).

#### **SPONSORS REMOVED**

On motion, Rep. Harrill was removed as sponsor of **House Bill No. 2452.**

#### **INTRODUCTION OF RESOLUTIONS**

On motion, the resolution(s) listed was/were introduced and referred as noted:

**\*House Resolution No. 0179** -- General Assembly, Confirmation of Appointment -- Michael S. Lacy, Tennessee Claims Commission. by \*Purcell.

Referred by the Speaker to the State and Local Government Committee.

**\*House Resolution No. 0180** -- General Assembly, Confirmation of Appointment -- Ed Murray, Tennessee Claims Commission. by \*Purcell.

Referred by the Speaker to the State and Local Government Committee.

**\*House Joint Resolution No. 0627** -- Naming and Designating -- "William Kent Ford, Sr. Boat Dock". by \*Holt.

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Referred by the Speaker to the Calendar and Rules Committee.

**\*House Joint Resolution No. 0628** -- Highway Signs -- "No Passing Zone," SR 61 in Anderson County. by \*Coffey.

Referred by the Speaker to the Calendar and Rules Committee.

**\*House Joint Resolution No. 0629** -- Highway Signs -- "Hoyet Gouge Memorial Bridge", Unicoi County. by \*Whitson.

Referred by the Speaker to the Calendar and Rules Committee.

**\*House Joint Resolution No. 0630** -- Highway Signs -- "Bill L. Bogart Memorial Bridge", Unicoi County. by \*Whitson.

Referred by the Speaker to the Calendar and Rules Committee.

**\*House Joint Resolution No. 0631** -- General Assembly, Studies -- Creates special joint committee to study banking laws, practices and procedures. by \*Sipes, \*Coffey, \*West, \*McDaniel, \*Niceley, \*Shirley, \*Kernell, \*Nuber, \*Tullos, \*Holt, \*Walley, \*Copeland, \*Knight, \*Haley, \*Holcomb.

Referred by the Speaker to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

**Senate Joint Resolution No. 0415** -- Memorials, Retirement -- Erma Weakley, Cheatham County Sheriff's office.

Referred by the Speaker to the Calendar and Rules Committee.

**Senate Joint Resolution No. 0419** -- Memorials, Sports -- Christian Brothers High School cheerleading squad.

Referred by the Speaker to the Calendar and Rules Committee.

**Senate Joint Resolution No. 0420** -- Memorials, Public Service -- Contact USA, 25th anniversary.

Referred by the Speaker to the Calendar and Rules Committee.

**Senate Joint Resolution No. 0426** -- Memorials, Retirement -- Deputy Chief Carl A. Levi.

Referred by the Speaker to the Calendar and Rules Committee.

**Senate Joint Resolution No. 0429** -- Memorials, Death -- Esther Louise Miller of Memphis.

Referred by the Speaker to the Calendar and Rules Committee.

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**RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred as noted:

**\*Senate Joint Resolution No. 0395** -- Naming and Designating -- "Marilyn Lloyd Aviation Center," National Guard Aviation Facility in Chattanooga.

Referred by the Speaker to the Calendar and Rules Committee.

**DELAYED BILLS REFERRED**

Pursuant to **Rule No. 78**, having been prefiled for introduction, House Bill(s) No(s). 2838; was/were referred to the Delayed Bills Committee.

**\*House Bill No. 2838** -- Taxes, Privilege -- Authorizes Montgomery County by two-thirds vote to impose transfer tax on transfers of realty and tax on instruments evidencing indebtedness in amount not to exceed amount such taxes levied for state purposes. Amends TCA 67-4-409. by \*Knight.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

**Senate Bill No. 1687** -- Financial Disclosure -- Requires person or organization and person heading such organization to be identified as purchaser of political communication expressly advocating a political position. Amends TCA, Title 2, Ch. 19, Pt. 1. (\*HB 1656).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 1784** -- Taxes, Real Property -- Equalizes charges imposed for redeeming property sold at tax sale on property owner and nonowner by increasing fees for nonowners. Amends TCA 67-5-2703. (HB 2457).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 1785** -- County Officers -- Streamlines trustee reporting requirements. Amends TCA, Titles 5, 8, 67. (HB 2221).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 1811** -- Public Officials -- Requires clerk to notify comptroller's office and county executive of election to charge flat fee in certain criminal cases. Amends TCA 8-21-401. (HB 2287).

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Held pending third consideration of companion House Bill.

**Senate Bill No. 2333** -- County Government -- Terminates county manager form of government. Amends TCA, Title 5, Ch. 15. (\*HB 2081).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 2553** -- Public Service Commission -- Requires candidates to be qualified voters in grand division from which seek election. Amends TCA 65-1-102. (HB 2462).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 2584** -- Financial Disclosure -- Changes reporting date to December 31 for campaign financial reports due in December; changes filing date for such reports to January 31. Amends TCA, Title 2, Ch. 10, Pt. 1. (HB 2477).

Held pending third consideration of companion House Bill.

**Senate Bill No. 2609** -- Civil Service -- Requires nondepartmental state service be counted on a year for one year basis, instead of one-half to one year basis to determine order of civil service layoffs; removes time limit that position in career service shall not be considered because position abolished. Amends TCA 8-30-320. (\*HB 2496).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 2648** -- Recreational Areas -- Allows municipalities to fund municipal recreational systems from general revenues of municipality, user fees, or other lawful services, as well as from property taxes. Amends TCA 11-24-108, 109. (HB 2564).

Held pending third consideration of companion House Bill.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

**House Bill No. 2832** -- Obion County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**House Bill No. 2833** -- Shelbyville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES  
April 6, 1992**

In accordance with **Rule No. 48**, the following local bill(s),

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having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2832 and 2833.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
CONSENT CALENDAR  
April 6, 1992**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, April 13, 1992**: House Bill(s) No(s). 2832 and 2833; also, Senate Joint Resolution(s) No(s). 415, 419, 420, 426 and 429.

PHILLIPS, Chair.

**MESSAGE FROM THE SENATE  
April 6, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1798, 2141, 2344, 2692, 2693, 2694, 2705 and 2811; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
April 6, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1651, 1652, 1656, 1657 and 2268; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENROLLED BILLS  
April 6, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 891, 1662, 1743, 2190, 2246, 2594 and 2702; also, House Joint Resolution(s) No(s). 513, 581, 585, 586, 591, 594, 595, 600 and 624; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

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**SIGNED**  
**April 6, 1992**

The Speaker announced that he had signed the following: House Bill(s) No(s). 891, 1662, 1743, 2190, 2246, 2594 and 2702; also, House Joint Resolution(s) No(s). 513, 581, 585, 586, 591, 594, 595, 600 and 624.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**  
**April 6, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1798, 2141, 2344, 2692, 2693, 2694, 2705 and 2811; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**April 6, 1992**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 626; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 6, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2536; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Bill No. 2536 -- Unemployment Compensation --** Modifies portions of employment security law. Amends TCA 50-7-207, 213, 50-7-303, 304, 50-7-401, 403. by \*Darnell.

**MESSAGE FROM THE SENATE**  
**April 6, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2443; substituted for Senate Bill(s) on same subject(s),



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amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS**  
**April 6, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1169, 1671, 2002, 2041, 2169, 2274, 2295, 2416, 2516, 2604, 2711, 2712, 2723, 2755, 2813, 2815, 2817, 2824, 2825, 2826, 2828 and 2830; also, House Joint Resolution(s) No(s). 515, 569, 598, 611, 612, 613, 614, 617, 619, 620, 621, 623 and 625; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**  
**April 6, 1992**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1651, 1652, 1656, 1657 and 2268.

**MESSAGE FROM THE SENATE**  
**April 6, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 891, 1662, 1743, 2190, 2246, 2594 and 2702; also, House Joint Resolution(s) No(s). 513, 581, 585, 586, 591, 594, 595, 600 and 624; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 6, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1939, 2057, 2059, 2211, 2502 and 2534; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 6, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate

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Bill(s) No(s). 2042, 2170, 2233, 2292, 2306, 2435, 2438, 2484, 2505, 2537, 2669 and 2697; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**\*Senate Bill No. 2042** -- Pensions and Retirement Benefits -- Deletes former "county" service by state employee and substitutes "political subdivision" service for credit in TCRS. Amends TCA 8-35-2306. by \*Patten.

**\*Senate Bill No. 2170** -- Local Education Agency -- Revises apportionment of local education funds. Amends TCA 49-3-315. by \*Greer.

**\*Senate Bill No. 2233** -- Real Property -- Extends period of time from one to three years that correction of property assessment must be made. Amends TCA 65-5-509. by \*Gilbert.

**Senate Bill No. 2292** -- District Attorneys -- Allows use of collected funds for payment of salary of district attorney general's office under certain circumstances. Amends TCA, Title 40, Ch. 3, Pt. 2. by \*McKnight.

**\*Senate Bill No. 2306** -- Insurance, Health, Accident -- Requires insurance companies issuing health and accident insurance to adopt standardized CPT Codes for patient billing that conforms to billing code requirements of Medicare and Medicaid. Amends TCA, Title 56. by \*Gilbert.

**Senate Bill No. 2435** -- Workers' Compensation -- Authorizes injured employees with temporary total disability to receive greater amount than established by law, with such greater amount deducted from any later workers' compensation award or settlement. Amends TCA, Title 50, Ch. 6, Pt. 2. by \*Womack, McKnight.

**\*Senate Bill No. 2438** -- Veterans -- Creates World War II Tennessee Maneuvers Commission; appropriates funds. by \*Womack.

**Senate Bill No. 2484** -- Motor Vehicles -- Requires trucks, truck tractors and livestock trailers manufactured and sold in Tennessee to have vehicle identification number after July 1, 1992. Amends TCA 55-5-106. by \*Dunavant.

**Senate Bill No. 2505** -- Auditing -- Provides that association captive insurance company not be required to perform audit of annual statutory financial statements by independent certified public accountant unless within 90 days before close of fiscal year requested by majority of members. by \*Patten.

**\*Senate Bill No. 2537** -- Driver Licenses -- Establishes new requirements; prorates fees for 5 year renewal cycles. Amends TCA 55-12-138; Title 55, Ch. 50. by \*Darnell.

**\*Senate Bill No. 2669** -- Insurance Companies, Agents, Brokers --

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Removes attorney-in-fact for subscribers of reciprocal insurance from definition of "managing general agent". Amends TCA 56-6-502. by \*Crutchfield.

**Senate Bill No. 2697 -- Workers' Compensation --** Provides that workers' compensation benefits will not be denied to a subcontractor or his employee, when the contractor has accepted payment to so extend coverage, based solely on the failure to reduce the agreement to writing and/or to notify department of labor. Amends TCA, Title 50, Ch. 6. by \*Rochelle.

**MESSAGE FROM THE SENATE**

**April 6, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 321, 390, 400, 404, 417 and 439; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Joint Resolution No. 0321 -- Memorials, Government Officials --** Directs department of financial institutions to study need for state to examine bank holding companies and to monitor actions of Congress in regulation of banks and bank holding companies. by \*Henry.

**\*Senate Joint Resolution No. 0390 -- Highway Signs --** "Lakewood City Parkway," portion of SR 45. by \*Hicks, Haynes.

**\*Senate Joint Resolution No. 0400 -- Highway Signs --** "Ringgold Mill Bridge," U.S. 41A, Montgomery County. by \*Darnell.

**\*Senate Joint Resolution No. 0404 -- Highway Signs --** "Governor DeWitt Clinton Senter Parkway," S.R. 160. by \*Lawson, Henry.

**\*Senate Joint Resolution No. 0417 -- General Assembly, Confirmation of Appointment --** W. R. Sain, Jr., Tennessee Wildlife Resources Commission. by \*Cooper, \*Darnell, Rochelle, Hamilton, Crowe.

**Senate Joint Resolution No. 0439 -- Memorials, Interns --** Dana Marguerite Brown. by \*Koella, \*Gilbert, \*McNally, \*Wilder.

**MESSAGE FROM THE SENATE**

**April 6, 1992**

MR. SPEAKER: I am directed to return to the House, House Bill No. 602.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 3; adopted Amendment No. 1 to Amendment No. 3, adopted Amendment No. 3 as

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amended, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 6, 1992**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1730.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**ENGROSSED BILLS**  
**April 6, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 15, 1950, 1970, 2485 and 2706; also, House Joint Resolution(s) No(s). 634, 635 and 641; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

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On motion of Rep. Purcell, the House recessed until 2:00 p.m.,  
Wednesday, April 8, 1992.